

**Town of Bethany Beach
Planning Commission Minutes
October 20, 2007**

The Bethany Beach Planning Commission held a meeting on Saturday, October 20, 2007 in the Bethany Beach Town Hall, 214 Garfield Parkway, Bethany Beach, DE 19930.

The following members were present: Kathleen Mink, who presided, Lew Killmer, Donald Doyle, Tony McClenny and Fulton Loppatto.

Also present: Mayor Carol Olmstead, Councilman Tracy Mulligan, Councilman Steve Wode, Councilman Joseph Healy, Patricia Titus of the Coastal Point, John Eckrich, Building Inspector, Seville Pettit, Administrative Secretary and interested members of the public.

The meeting was called to order at 9:03 a.m.

OPENING OF MEETING

Approval of Agenda

Ms. Mink made a suggestion to modify the agenda replacing Mr. Eckrich name with Mr. Doyle's name under Old Business Item A and removing Item C. under New Business and to pass it to CORC. Mr. Doyle made a motion to approve the agenda as amended. The motion was seconded by Mr. Killmer and unanimously approved.

Election of Chair and Vice-Chair to serve October 2007 – September 2008

Ms. Mink announced that she will be stepping down as Chairman, but will remain on the Planning Commission.

Mr. Doyle nominated Mr. Killmer to be the Planning Commission Chair for the term of October 2007 through September 2008. All were in favor. Mr. Killmer was the sole nominee for the chairmanship position.

Mr. Doyle nominated Mr. Loppatto to be the Planning Commission Vice Chair for the term of October 2007 through September 2008. All were in favor. Mr. Loppatto was the sole nominee for the vice-chairmanship position.

Discussion/ Approval of Planning Commission Minutes dated August 18, 2007

Mr. Killmer made a motion to approve the minutes as amended. The motion was seconded by Mr. Doyle and unanimously approved. Mr. McClenny abstained since on that date he wasn't a member of the Planning Commission.

Discussion/ Approval of Planning Commission Minutes dated September 22, 2007

Mr. Loppatto made a motion to approve the minutes as amended. The motion was seconded and unanimously approved. Mr. McClenny abstained since on that date he wasn't a member of the Planning Commission.

Announcements/ Comments/ Updates

Commercial Design Review Committee (CDRC) (Doyle)

Mr. Doyle announced that he will be stepping down for the Commercial Design Review Committee and Mr. Killmer was designated to be his replacement on the committee.

Mr. Doyle reported that the Connor Mall LLC project was reviewed by the CDRC. A new building that can house up to three stores will be constructed on the site of the existing mall that is owned by Mr. Brad Conner. The building will be located along the edge of the property close to DiFebo's restaurant and will be separated by a wide paved driveway from the existing building on the property.

Mr. Killmer added the plans were reviewed but not approved since the CDRC guidelines requires that the architect on the committee review and approve the submitted plans and Mr. John Hendrickson was unable to attend the meeting. The CDRC committee made a number of recommendations regarding the submitted plans for the applicant to consider prior to the next scheduled meeting. The next meeting will be held October 26, 2007 in the Bethany Beach Town Hall.

Recap and Discussion of the Town Council October 11, 2007 Workshop Regarding the Planning Commission's proposed updates to Chapter 40 of the Town Code (All)

Ms. Mink reported that as the Planning Commission members were working on the proposed updates to Chapter 40. Mr. Jaywork, the Town Solicitor recommended that a few items needed to be amended/clarified in the original draft. There was a first reading at the Town Council meeting held on the evening of October 19, 2007 and the second reading will be held on November 16, 2007 at the regular monthly Town Council meeting.

Comments, Questions & Answers discussion for Planning Commission Members

Ms. Mink announced the Planning Commission meeting will not meet in December 2007, but will reconvene on January 19, 2008.

PUBLIC COMMENT/ QUESTIONS

There was no discussion at this time.

NEW BUSINESS

Discussion of developing and implementing a Town-sponsored/Business Community partnered program for promoting Spring and Autumn as an ideal time to visit, shop and vacation in Bethany Beach (Scott Spencer, Business Owners, OF All Things!)

Ms. Mink noted that one of the projects that the Planning Commission members were working on was enhancing relationships between the Planning Commission, the Town Council and the Business Community.

Mr. Scott Spencer, Business Owner “Of All Things!” stated he has asked Ms. Mink if Bethany Beach has had or will have in the future a Merchant’s Organization. Mr. Spencer suggested to the Planning Commission about possible ways to better promote the Business Community on more of a year round basis.

He noted that the Bethany-Fenwick Chamber of Commerce might not be able to meet all of the needs of the Bethany Beach business community because they are primarily an information distributor. Bethany Beach should promote its’ own businesses and environment.

Mr. Scott’s proposal is to first unite as much as possible the business owners and the business property owners together to voice their opinions and concerns. Perhaps in the future the Town Council might be willing to be an active participant in this endeavor.

The goal for this fall and winter is to contact individual business owners and business property owners and to identify a willing group of individuals to begin working on this project.

Review Sketch Plans for a subdivision submitted by Land Tech for the Addys and Coopers, located at Block 140, Lots 3& 5 at 67& 69 Kent Avenue in the R-2 Zone.

Mr. Eckrich stated the Addys’ and Coopers’ parcels are the two largest undeveloped properties that remain in Bethany Beach.

Ms. Katja Kalinski from Land Tech reviewed the submitted Sketch Plan for the proposed subdivision.

Mr. Killmer read for the record the following statement regarding this submission:

Comments Regarding the Sketch Plan for the Addy/Cooper Subdivision

The comments regarding the submitted Sketch Plan are my own and may or may not reflect the feelings and concerns of the other members of the Planning Commission.

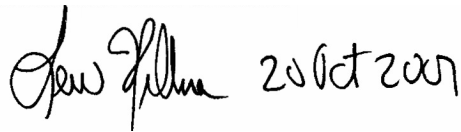
The Sketch Plan that you submitted appear to meet the minimal requirements of our Town Code, but do they fulfill the true potential that your developed property could add regarding the beauty, livability and the quality of life in our Town of Bethany Beach?

The Sketch Plan for your property might even be more accurately characterized as a major subdivision, not simply a PRD. In addition your 4.6 acres contains many mature trees, but because of the number of the homes proposed to be constructed on the property, the property will probably have to be clear-cut. It is always a great tragedy to lose these living assets that add so much to the beauty and charm to our community. The Town has granted rights to individuals like yourselves who own large parcels of land as a means to maximize the development capability of your property. What I am asking both of you to focus on is not the maximization of the economic return from your proposal, but give serious consideration to the following suggestions in your Preliminary and Final Plans that will in affect enhance the beauty and ultimately the market value and appeal of your project.

- Set aside 15% of the property as open and/or green space that can have active and passive uses
- Provide tree lined streets with sidewalks and curbs and attractive street lighting
- Each home be unique in size, styles, facades, color and roof pitch (avoid cookie cutter homes)
- Architectural styles that reflect traditional architectures of our beach community
- Every attempt should be made to save mature trees that are not in building footprints and roadways
- Landscaped buffers using a combination of berms and plantings
- The use of alleys and/or driveways to allow vehicular access and to encourage parking on the side and rear of residential lots

Please consider these suggestions when developing your preliminary and final plans for the property. Both your families were one of the first families to settle, live and build homes in Bethany Beach. They were community leaders in their day and their contributions to our community are still very evident, admired and appreciated. Why not continue your families' tradition and be a role model to other owners of the few remaining large tracts of land and develop your property that will be the benchmark for all future developments.

Respectively submitted: Lew Killmer

A handwritten signature in black ink, appearing to read "Lew Killmer", followed by the date "20 Oct 2007".

Ms. Mink indicated that the Building Inspector will be available for any help the Addys' and Coopers' might need.

Review and Possible Approval of Final Plans for a PRD Submitted by Thomas and Roseanna Haley Identified as Finn-Fay, Lot 1 & 2, Block 136 Located at # 3 Kent Avenue in the R-2 Zone.

Mr. Eckrich stated this is a final plan for a PRD submitted by Thomas and Roseanna Haley. The house that is currently on the property will be moved to the rear of the property as presented on the submitted plans. Some changes were made to the plans such as deleting the garages under the existing in-law suite of the existing structure. There will be two houses constructed in the front of the property.

The Planning Commission members reviewed and had satisfactorily clarified a number of questions regarding the final plans.

Mr. Killmer made a motion to approve the final plans for the PRD submitted by Thomas and Roseanna Haley for property located at 3 Kent Ave. The motion was seconded by Mr. McClenny and unanimously approved.

Discussion of Chapter 245 – Article X (C-1 District) – Sections 61.A and 66 (providing for R-1 and R-2 uses) an Article XI (C-2 District) – Section 70.D (providing for R-1 and R-2 uses) to determine need to refine requirements for Residential uses in Commercial Districts.

Ms. Mink questioned if the Planning Commission members would like to make Article X Sections 61.A and 66 and Article XI Section 70.D a part of the code in addition to having it in the guidelines.

Mr. Killmer noted the process would be to transfer the language from the Commercial Design Review section to the code.

OLD BUSINESS

Proposal to amend Regulation 245.17.C regarding requirements for storage of trailers, boats, personal watercraft. (Doyle)

Mr. Killmer noted that Mr. Doyle has been working on 245.17.C that deals with temporary structures and trailers to improve and expand the current section.

Mr. Doyle noted the current section of 245.17.C states things that are permitted, but does not state things that are not permitted. The amended section of the Town Code prepared by Mr. Doyle rectifies the apparent deficiencies in the existing code and expands as well as making the code applicable to both State and Federal regulations.

Ms. Mink made a motion to approve the proposal as amended. The motion was seconded by Mr. Doyle and unanimously approved.

The remaining items under Old Business will have to be rescheduled for a few meetings because of time restraints.

ADJOURN

Mr. Doyle made a motion to adjourn. The motion was seconded by Ms. Mink and unanimously approved. The meeting was adjourned at 11:55 a.m.

Respectfully Submitted,

Seville Pettit
Administrative Secretary